

STATE ALLOCATION BOARD

1130 K Street, Suite 400
Sacramento, CA 95814
<http://www.dgs.ca.gov/opsc>



Date: November 19, 2004

To: Interested Parties

Subject: **NOTICE OF THE STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE MEETING**

Notice is hereby provided that the State Allocation Board Implementation Committee will hold a meeting on Friday, December 3, 2004 (9:30 am - 3:30 pm) at the East End Complex, 1500 Capitol Avenue, Rooms 72.149B & 72.151A, Sacramento.

The Implementation Committee's proposed agenda is as follows:

1. Convene Meeting
2. 2005 Implementation Committee Meeting Calendar
3. Williams Settlement Legislation
 - Discussion Items:
 - Senate Bill 6 (Alpert) School Facility Needs Assessment Grant Program and Emergency Repair Account
 - Senate Bill 550 (Vasconcellos) School Facility Standards

Any interested person may present public testimony or comments at this meeting regarding the issues scheduled for discussion. Any public input regarding unscheduled issues should be presented in writing, which may then be scheduled for a future meeting. For additional information, please contact Christine Sanchez at (916) 322-0328.

A handwritten signature in black ink, appearing to read "Bruce B. Hancock".

BRUCE B. HANCOCK
Chairperson

BBH:LM:cs

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE

Pending Items List
December 3, 2004

A. Future Items

- SFP – Project Rescission
- Follow-up to 180-Day Regulation: *District Funded Facilities Included in Existing School Building Capacity (approved at the May 26, 2004 State Allocation Board)*

B. Suspended Items

- None

State Allocation Board
Implementation Committee
December 3, 2004

2005 IMPLEMENTATION COMMITTEE MEETING DATES

The dates listed below are the proposed meeting dates for the Implementation Committee meetings for the 2005 year. The 12 monthly calendars for are provided for your reference.

Proposed Meeting Dates:

- January 7, 2005
- February 4, 2005
- March 4, 2005
- April 1, 2005
- May 6, 2005
- June 3, 2005
- July 1, 2005
- August 5, 2005
- September 2, 2005
- October 7, 2005
- November 4, 2005
- December 2, 2005

January

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7 Proposed IMP Committee	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25 CASH Workshop (Sacramento)	26 SAB	27	28 CASH Workshop (Ontario)	29
30	31					

2005

February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4 Proposed IMP Committee	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23 SAB	24	25	26
27	28 CASH Annual Conference (Sacramento)					

2005

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1 CASH Annual Conference (Sacramento)	2 CASH Annual Conference (Sacramento)	3 CASH Annual Conference (Sacramento)	4 Proposed IMP Committee	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22 CASH Workshop (Sacramento)	23 SAB	24	25 CASH Workshop (Ontario)	26
27	28	29	30	31		

2005

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1 Proposed IMP Committee	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26 CASH Workshop (Sacramento)	27 SAB	28	29 CASH Workshop (Ontario)	30

2005

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6 Proposed IMP Committee	7
8	9	10 CASH Spring Conference (San Diego)	11 CASH Spring Conference (San Diego)	12 CASH Spring Conference (San Diego)	13	14
15	16	17	18	19	20	21
22	23	24	25 SAB	26	27	28
29	30	31				

2005

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3 Proposed IMP Committee	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21 CASH Workshop (Sacramento)	22 SAB	23	24 CASH Workshop (Ontario)	25
26	27	28	29	30		

2005

July

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					1 Proposed IMP Committee	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26 CASH Workshop (Sacramento)	27 SAB	28	29 CASH Workshop (Ontario)	30
31						

2005

August

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5 Proposed IMP Committee	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23 CASH Workshop (Sacramento)	24 SAB	25	26 CASH Workshop (Ontario)	27
28	29	30	31			

2005

September

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2 Proposed IMP Committee	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27 CASH Workshop (Sacramento)	28 SAB	29	30 CASH Workshop (Ontario)	

2005

October

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7 Proposed IMP Committee	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26 SAB	27	28	29
30	31					

2005

November

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4 Proposed IMP Committee	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23 SAB	24	25	26
27	28	29	30			

2005

December

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2 Proposed IMP Committee	3
4	5	6	7	8 Tentative SAB	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

2005

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE
December 3, 2004

WILLIAMS SETTLEMENT - SENATE BILL 6

PURPOSE

To present proposed regulations for the implementation of Senate Bill (SB) 6, Chapter 899, Statutes of 2004 (Alpert).

BACKGROUND

SB 6 was created as part of the settlement agreement in the case of *Williams v. State of California*. The objectives of SB 6 are to identify the current conditions of the facilities (School Facilities Needs Assessment Grant Program) and to provide funding for the Emergency Repair Program.

DISCUSSION

The OPSC has had an opportunity to look into the concerns expressed by the Implementation Committee members and members of the audience from the November 5th meeting. The final number of eligible schools has not been determined. Until such a time, Regulation Section 1859.311 and 1859.321 remain unchanged. The following information is provided in response to discussion and feedback:

School Facilities Needs Assessment Grant Program Regulations (Refer to Attachment A)

- The qualifications of the inspector (Section 1859.314) have been modified. The qualifications apply to either the person(s) performing or supervising the assessment.
- In response to requests for a more streamlined process for reporting the progress made on the Needs Assessment, the report is now a web-based document as described in Section 1859.315. The proposed text for the Web-Based Progress Report Survey can be found in the Attachment B.
- Sections 1859.317 and 1859.318 have been modified in order to provide more clarity to the “supplement, not supplant” requirements of the statute.

School Facilities Needs Assessment Grant Program Forms (Refer to Attachment C)

- The instructions of the Form SAB 61-01 have been revised to define the date of construction and building square footage.
- Additional space has been provided to allow for information on multiple inspectors.
- Discussions continue regarding the feasibility of districts interfacing their existing facility inspection systems with the OPSC needs assessment database.

Emergency Repair Program (Refer to Attachment A)

- Section 1859.323.1(f) has been modified to clarify the circumstance where force account labor costs are permissible.
- Section 1859.324(a) was modified to clarify contract requirements.
- Section 1859.328 has been added and Sections 1859.325 and 1859.327 have been modified in order to provide more clarity to the “supplement, not supplant” requirements of the statute.

ATTACHMENT A

DRAFT

TITLE 2. CALIFORNIA ADMINISTRATIVE CODE
DIVISION 2. FINANCIAL OPERATIONS
CHAPTER 3. DEPARTMENT OF GENERAL SERVICES
SUBCHAPTER 4. OFFICE OF PUBLIC SCHOOL CONSTRUCTION
SUBGROUP 5.7. RELATING TO SCHOOL FACILITIES NEEDS ASSESSMENT AND
EMERGENCY REPAIR PROGRAM

Article 1. General Provisions and Definitions

Section 1859.300. Purpose.

These regulations implement the School Facilities Needs Assessment Grant Program and the Emergency Repair Program.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70 and 17592.71, Education Code.

Section 1859.301. Director of General Services.

The Director of General Services, or the Director's legal designee, shall perform all acts necessary to carry out the provisions of these regulations except such functions as are reserved to the Board and to other agencies by law or by Sections 1859.300 through 1859.328, inclusive. These acts to be performed include, but are not limited to, entering into contracts to administer the regulations.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17070.20, Education Code.

Section 1859.302. Definitions.

For the purposes of these regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:

"Act" means California Education Code (EC) Sections 17592.70 through 17592.73, inclusive, and 41207.5.

"Apportionment" means an allocation of funds by the Board for eligible School Facilities Needs Assessment Grant Program and Emergency Repair Program expenditures.

"Accepted Application(s)" means a district has submitted the application and all documents to the Office of Public School Construction that are required to be submitted with the application as identified in the General Information Section of the Form SAB 61-03, *Application For Reimbursement and Expenditure Report*, (New 01/05), as appropriate, and the Office of Public School Construction has accepted the application.

"Board" means the State Allocation Board as established by Section 15490 of the Government Code.

"CBEDS Report" means the enrollment information provided through the California Basic Educational Data System (CBEDS) by the school district to the California Department of Education.

"Cosmetic Repairs" means repairs that enhance the physical environment of the school and are not directly related to the mitigation of a health or safety hazard.

"Deferred Maintenance Program (DMP)" means the state deferred maintenance funding authorized by the EC Sections 17582 through 17588, inclusive.

“District Representative” means a member of the school district staff or other agent authorized to serve as District Representative to execute and file an application with the Board on behalf of the district and/or act as liaison between the Board and the district.

“Emergency Facilities Needs” shall have the meaning set forth in EC Section 17592.72(c)(1).

“Emergency Repair Program (ERP)” means the repair program implemented under the Act, Senate Bill 6, Chapter 899, Statutes of 2004.

“Emergency Repair Program Grant” means an Apportionment provided by the State to reimburse the district for the district’s share of eligible costs, pursuant to EC Section 17592.72(c)(1) and Regulation Sections 1859.323 and 1859.323.1.

“Expended” means work has been completed, or services rendered, and a warrant has been issued for payment.

“Form SAB 61-01” means the *School Facilities Needs Assessment Report*, Form SAB 61-01 (New 01/05), which is incorporated by reference.

“Form SAB 61-02” means the *School Facilities Needs Assessment Expenditure Report*, Form SAB 61-02 (New 01/05), which is incorporated by reference.

“Form SAB 61-03” means the *Application For Reimbursement and Expenditure Report*, Form SAB 61-03 (New 01/05), which is incorporated by reference.

“Interim Evaluation Instrument” means the evaluation tool developed pursuant to EC Section 17002(d)(2).

“Like-Kind Material/System” means a building material or system that is substantially identical in function to the existing building material or system to be replaced.

“Needs Assessment” means the review of the facilities conducted pursuant to the Section 1859.315(b), the Form SAB 61-01 and EC Section 17592.70.

“Needs Assessment Grant” means the funding provided pursuant to EC Section 17592.70(c) and Sections 1859.312 and 1859.313.

“Nonessential Repairs” means repairs that are not directly related to the mitigation of a health or safety hazard.

“Office of Public School Construction (OPSC)” means the State office within the Department of General Services that assists the Board as necessary and administers the School Facilities Needs Assessment Grant Program and the Emergency Repair Program.

“Pupil” means a student enrolled in any grade Kindergarten through grade twelve including individuals with exceptional needs meeting the provisions of EC Section 56026.

“Ready for Apportionment” means a review of an Accepted Application has been completed by the OPSC and it has been determined that it meets all requirements of law for an apportionment, and the OPSC will recommend approval to the Board.

“Routine Restricted Maintenance Account” means the account into which funds are deposited by school districts pursuant to EC Section 17070.75.

“School Facilities Emergency Repair Account” means the account established pursuant to EC Section 17592.71(a).

“School Facilities Needs Assessment Program” means the one-time assessment implemented under the Act, Senate Bill 6, Chapter 899, Statutes of 2004.

“School Facility Program (SFP)” means the Leroy F. Greene School Facility Act of 1998, commencing with EC Section 17070.10.

“Section” means a section in these Subgroup 5.7 regulations.

“Unfunded List” means an information list of unfunded projects eligible pursuant to Sections 1859.320 through 1859.328, inclusive, and EC Section 17592.72.

“Web-Based Progress Report Survey” means the on-line form provided by the OPSC and available on the OPSC Website for the purpose of submitting a report on the progress made toward completing the Needs Assessment.

“Web-Based Needs Assessment” means the on-line Form SAB 61-01 provided by the OPSC and available on the OPSC Website www.opsc.dgs.ca.gov for the purpose of submitting the Needs Assessment data electronically.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.70, 17592.71, 17592.72 and 17592.73, Education Code.

Article 2. School Facilities Needs Assessment Grant Program

Section 1859.310. General.

A school site that qualifies for the School Facilities Needs Assessment Grant Program according to the provisions of EC Section 17592.70(b) shall be allocated funds by the Board in order to conduct a one-time comprehensive school facilities needs assessment. A school district that receives funds under this Article shall be required to complete and submit a Web-Based Needs Assessment to the OPSC for each school site meeting the provisions of Section 1859.311.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.311. Eligible Schools.

Please note: this section is still under review and requires further consideration.

A school district that has a school site meeting all of the following is eligible for the School Facilities Needs Assessment Grant Program:

- (a) The school was identified on the list published by the California Department of Education pursuant to EC Section 17592.70(b).
- (b) The school was newly constructed prior to January 1, 2000 as measured by adding 12 calendar months to the date of the Division of State Architect building plan approval for the original school buildings on the campus.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.312. Apportionment of Funds.

The Board shall allocate ten dollars (\$10) per Pupil enrollment, according to the 2003 CBEDS Report, for each school site identified by Section 1859.311. A minimum allocation of seven thousand five hundred dollars (\$7,500) shall be made for each eligible school site. Once an apportionment has been made by the Board, funds will be released by OPSC to the school district with jurisdiction over the eligible school site along with requirements for the money to be spent at the eligible school site(s) in accordance with Section 1859.313.

Note: Authority Cited: Section 17592.73, Education Code

Reference: Section 17592.70, Education Code.

Section 1859.313. Use of Needs Assessment Grant Funds.

The district shall only use the Needs Assessment Grant funds for the following:

- (a) Unbudgeted administrative or third party costs incurred as a result of performing the Needs Assessment.
- (b) Repairs identified in Part V of the Form SAB 61-01 at any eligible school site in the district where a Needs Assessment has been completed.

Note: Authority Cited: Section 17592.73, Education Code.

Section 1859.314. Qualifications of the Inspector.

Please note: this section is still under review and requires further consideration.

The Needs Assessment must be prepared in accordance with all of the following:

(a) The person(s) performing or supervising the Needs Assessment must have in-depth knowledge, with a minimum of three years of experience, in facilities construction, operation, and maintenance, including experience with cost estimation and building systems life cycle analysis in reference to his/her applicable area of expertise; and,

(b) The individual(s) conducting the assessment must personally perform the assessment on the school site(s).

(c) The individual(s) must be an independent third party, which include any the following:

(1) Staff from another district;

(2) Staff from the county office of education;

(3) A private entity specializing in school facilities; or

(4) For districts with multiple independent or autonomous facilities districts, the facility person from one district may perform the Needs Assessment for a school site under the jurisdiction of another facility district.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.73, Education Code.

Section 1859.315. Program Reporting Requirements.

A school district that receives a School Facilities Needs Assessment Grant pursuant to Section 1859.311 shall:

(a) Complete a Web-Based Progress Report Survey and submit to the OPSC by April 29, 2005. Each school district shall submit one survey unless the Needs Assessment for all eligible schoolsites have been completed pursuant to subsection (b), below:

(b) Complete a Web-Based Needs Assessment for each applicable site and submit to the OPSC by January 1, 2006.

(c) Complete Form SAB 61-02 to report all expenditures made with Needs Assessment Grant funds on a district-wide basis and submit to the OPSC by September 1, 2006.

Note: Authority Cited: 17592.73, Education Code.

Reference: 17592.70, 17592.73, Education Code.

Section 1859.316. Needs Assessment Grant Expenditures and Audit.

The projects shall be subject to audit to ensure that expenditures incurred by the district were made in accordance with the provisions of Sections 1859.313 and 1859.314. Any funds not Expended on the Needs Assessment or eligible repairs at the time of submittal of the Form SAB 61-02 shall be returned to the OPSC.

After the OPSC receives the expenditure report from the district on the Form SAB 61-02 and the district is notified of an impending Needs Assessment audit, an audit of the expenditures by the OPSC shall commence within six months. The OPSC shall complete the audit within six months of the notification unless additional information requested from the district has not been received.

Should the OPSC conduct an audit of the expenditures and information, which may include certifications, for expenditures made pursuant to Section 1859.310 and make a finding that some or all of the expenditures were not made in accordance with the provisions of the Education Code Section 17592.70(d), the OPSC shall recommend to the Board that the Apportionment be adjusted based on the audit findings. Upon adoption of the audit findings by the Board, the district must submit a warrant for any amount identified as being owed within 30 days of the Board action. If this does not occur, the OPSC shall initiate collection procedures.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.70, Education Code.

Section 1859.317. Duplication of Needs Assessment Grant Expenditures.

If the district's expenditures for the Needs Assessment Grant involve proposed work also included in a SFP or Deferred Maintenance Program (DMP) project, the district must ensure all of the following:

- (a) No work or expenditures are duplicated.
- (b) After eliminating the work to be funded with the Needs Assessment Grant from the SFP or DMP project, the remaining work continues to meet the SFP or DMP requirements.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: 17592.73, Education Code.

Section 1859.318. Supplement, Not Supplant, Needs Assessment Grant Funds.

Please note: this section is still under review and requires further consideration.

Needs Assessment Grant funds remaining after the completion of the Needs Assessment must be used for repairs authorized in Section 1859.313(b) and must be used to supplement, not supplant, funds already available for the maintenance of school facilities. In compliance with this requirement, funds from all of the following sources must have first been Expended, encumbered or obligated for other maintenance needs as of the date warrants were issued for those repairs:

- (a) Routine Restricted Maintenance Account;
- (b) Deferred Maintenance Account;
- (c) Any other maintenance budgets.

Evidence of Expended, encumbered or obligated include, but are not limited to, the following documentation: signed contracts for services, work or materials, purchase orders, and school board meeting minutes approving the dedication of funds for future maintenance projects.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: 17592.73, Education Code.

Section 1859.319. Remaining Needs Assessment Grant Funds.

Any funds unapportioned or returned to the OPSC pursuant to Section 1859.316 shall be transferred into the School Facilities Emergency Repair Account.

Note: Authority Cited: Section 17592.73.

Reference: Education Code Section 41207.5.

Article 3. Emergency Repair Program

Section 1859.320. General.

A district seeking an Emergency Repair Program Grant for reimbursement of cost for repairs or replacement of existing structural components or building systems that posed a health and safety threat to the pupils or staff while at school, as defined by EC Section 17592.72(c)(1), shall complete and file a Form SAB 61-03. Each application may consist of the repair or replacement of only one building component or system and any work directly related to that repair or replacement..

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.321. Eligible Schools.

Please note: this section is still under review and requires further consideration.

A school district that has a school site meeting all of the following is eligible to submit a Form SAB 61-03:
(a) The school was identified on the list published by the California Department of Education pursuant to EC Section 17592.70(b).

(b) The school was newly constructed prior to January 1, 2000 as measured by adding 12 calendar months to the date of the Division of State Architect building plan approval for the original school buildings on the campus.

Section 1859.322. Emergency Repair Program Project Funding Order.

The Board shall fund ERP applications on a monthly basis in the order of receipt of an Accepted Application as follows:

(a) If sufficient funding is available to provide funding to all applications presented that month, all applications will receive a full and final apportionment of the eligible costs.

(b) If funding is insufficient in any given month:

(1) Apportionments will be provided to each application on a prorated basis with the balance placed on the Unfunded List, unless the proration will result in funding less than 25 percent of the eligible project costs. The proration shall be determined by dividing the total funds available by the total eligible costs of all applications Ready for Apportionment.

(2) If the proration, as determined in (1) above, will be less than 25 percent of the eligible project costs, the Board shall provide funding at 100 percent of the eligible project costs based on date order received until funds are no longer available and the remaining applications shall be placed on the Unfunded List.

(3) The Board will continue to accept and process applications for the purpose of developing an Unfunded List based on the order of receipt of the Accepted Application.

When funds become available, projects on the Unfunded List will be apportioned in order date of receipt. After an Apportionment has been made by the Board, funds will be released by the OPSC.

Once eight hundred million dollars (\$800,000,000) have been apportioned by the Board: any applications that have received a prorated Apportionment will be deemed a full and final Apportionment, any

applications remaining fully unfunded on the Unfunded List will be returned to the district, and the Unfunded List shall be dissolved.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.71, Education Code.

Section 1859.323. Eligible Project Costs.

Reimbursement will be provided to meet the district share of the repair costs of essential Emergency Facilities Needs as defined in Education Code Section 17592.72(c)(1). Reimbursement of eligible projects costs shall be limited to the minimum work required on existing structural components or building systems to mitigate the health and/or safety hazard. Replacement is permitted only if it is more cost-effective to replace rather than repair a structural component or building system that poses a health or safety threat to pupils or staff while at school. Replacement of a structural component or building system shall be limited to the use of a Like-Kind Material/System except in the following circumstances and as supported by a cost comparison:

- (a) The work in the project proposes to use an alternative building material or system that performs the same function as a no longer available building material or system; or
- (b) The work in the project proposes to use an alternative building material or system which is requested by the district and is less costly than a Like-Kind Material/System replacement.

If the request is for replacement components or systems, a cost comparison must be prepared by the district and submitted with the Form SAB 61-03 to the OPSC that indicates the total system. If the cost to repair the component or system is less than 75 percent of the current replacement cost, only costs to repair the component or system are reimbursable.

If the request is for alternative replacement components or systems pursuant to (a) or (b) above, the cost comparison must also indicate that the alternative building material or system is less than 75 percent of the cost of replacement with a Like-Kind Material/System.

If the request is for replacement components or systems that included structural deficiencies, the cost comparison must also include a report from a licensed design professional identifying the minimum work necessary to obtain Division of the State Architect approval. The report must contain a detailed cost estimate of the repairs. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the Division of the State Architect.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.323.1. Ineligible Expenditures.

Please note: this section is still under review and requires further consideration.

An Emergency Repair Program Grant may not be used for any of the following:

- (a) New square footage, components, or building systems that did not previously exist.
- (b) Nonessential Repairs.
- (c) Cosmetic Repairs.
- (d) Land acquisition.
- (e) Furniture and equipment.
- (f) Salaries of district employees except when permitted pursuant to Public Contract Code Section 20114.

(g) Items covered under warranty or by insurance.

(h) Costs normally borne by others including, but not limited to, public utility companies.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.324. Reimbursement.

An Emergency Repair Program Grant shall be used to reimburse districts for eligible costs, as defined by Section 1859.323, that meet all of the following provisions:

(a) If contracts for services or work were signed for the project, contracts must have been entered into on or after September 29, 2004;

(b) Expended on or after September 29, 2004;

(c) Expended prior to the submittal of the Form SAB 61-03.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.325. School Facility Due Diligence.

To ensure that the district is exercising due diligence in the administration of its facility accounts and is using an Emergency Repair Program Apportionment to supplement existing funding requirements prescribed in statute for school facilities, the OPSC may conduct a review of the district's maintenance accounts pursuant to the provisions of Section 1859.328.

In the event that the Board finds that a district is failing to exercise due diligence or supplanting has occurred, the Board shall notify the county superintendent of schools in which the school district is located and may deny future funding under these regulations.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.326. Emergency Repair Program Application Expenditures and Audit.

The projects shall be subject to audit to ensure that the expenditures incurred by the district were made in accordance with the provisions of Sections 1859.323 through 1859.325, inclusive.

After a final Apportionment has been made, and the OPSC notifies the district of an impending ERP audit of the expenditures reported on the Form SAB 61-03, an audit by the OPSC shall commence within six months. The OPSC shall complete the audit within six months of the notification unless additional information requested from the district has not been received.

Should the OPSC conduct an audit of the expenditures and information provided by the district, which may include certifications, for the project and make a finding that some or all of the expenditures were not made in accordance with the provisions of the Education Code Section 17592.72(c) and Regulations Sections 1859.323 through 1859.325, inclusive, the OPSC shall recommend to the Board that the apportionment be adjusted based on the audit findings. Upon adoption of the audit findings by the Board, the district must submit a warrant for any amount identified as being owed within 30 days of the Board action. If this does not occur, the OPSC shall initiate collection procedures.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

Section 1859.327. Duplication of Emergency Repair Program Expenditures.

If the district's expenditures for the Emergency Repair Program Grant involve proposed work also included in a SFP or Deferred Maintenance Program (DMP) project, the district must ensure all of the following:

- (a) No work or expenditures are duplicated.
- (b) After eliminating the work to be funded with the Emergency Repair Program Grant from the SFP or DMP project, the remaining work continues to meet the SFP or DMP requirements.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Section 17592.72, Education Code.

Section 1859.328. Supplement, Not Supplant, Emergency Repair Program Grant Funds.

Emergency Repair Program Grant funds must be used to supplement, not supplant, funds already available for the maintenance of school facilities. In compliance with this requirement, the district must have first Expended, encumbered or obligated funds from all of the following sources for maintenance needs other than the Emergency Repair Program project as of the date warrants were issued for the project:

- (a) Routine Restricted Maintenance Account;
- (b) Deferred Maintenance Account;
- (c) Any other maintenance budgets.

Evidence of Expended, encumbered or obligated include, but are not limited to, the following documentation: signed contracts for services, work or materials, purchase orders, and school board meeting minutes approving the dedication of funds for future maintenance projects.

On the Form SAB 61-03 the district must reduce the request for reimbursement of an ERP project by the amount of any available maintenance funds determined in (a) through (c) above.

Section 1859.329. Withdrawal and Amendment of Applications.

In the event a district has omitted expenditures from the Form SAB 61-03 at the time of submittal and the project has not received an Apportionment from the Board, the district may withdraw its application and resubmit a revised Form SAB 61-03. The resubmitted application will receive a new processing date by the OPSC. If the Board has already provided an Apportionment for the project, the district will not be able to receive additional funding for the project and the Apportionment provided by the Board will be considered full and final.

Note: Authority Cited: Section 17592.73, Education Code.

Reference: Sections 17592.72 and 17592.73, Education Code.

ATTACHMENT B

DRAFT

School Facilities Needs Assessment Grant Program

Progress Report Survey

A school district or county office of education with jurisdiction over schools required to complete the School Facility Needs Assessment, pursuant to the provisions of Senate Bill 6 (Chapter 899, Statutes 2004) shall complete **one** survey and **submit it electronically to the OPSC by April 29, 2005.**

School District/COE:	
Five-Digit District/COE Number:	
County:	
Name of the Person Completing this Survey:	
Telephone Number:	
E-mail Address:	
Number of Schools Eligible for the School Facilities Needs Assessment Grant Program:	

Please answer the following questions:

1. Have any of the required assessments been completed and submitted to the OPSC? ☐ YES ☐ NO
 - 1A. If "yes," for how many schools? _____
2. Has the School District/COE designated an individual(s) to perform the assessment(s) at any of the eligible schools? ☐ YES ☐ NO
 - 2A. If "yes," for how many schools? _____
3. Has the designated individual(s) begun conducting the assessment(s) at any of the eligible schools? ☐ YES ☐ NO
 - 3A. If "yes," for how many schools? _____
4. Provide an estimated date for the submittal of the completed assessment(s) for all the schools under your jurisdiction. _____

ATTACHMENT C

Senate Bill 6 Forms

- *School Facilities Needs Assessment Grant Program, Form SAB 61-01*
- *School Facilities Needs Assessment Grant Program – District Expenditure Report, Form SAB 61-02*
- *School Facilities Needs Assessment Grant Program - Detailed Listing Of District Expenditures, Worksheet SAB 61-02A*
- *Application for Reimbursement and Expenditure Report, Emergency Repair Program, Form SAB 61-03*

Attachment C1

- Major Building Systems Available in a Web-Based Needs Assessment

DRAFT

GENERAL INFORMATION

This Form is to be used to perform a one-time school site Needs Assessment for each eligible school as defined by Regulation Section 1859.311.

The Form shall be completed and submitted to the OPSC via the internet with a certification document which requires an original signature to be mailed to the OPSC. Both submittals must be received by the OPSC no later than January 1, 2006.

SPECIFIC INSTRUCTIONS

Part I.

Needs Assessment Identification Number. This number is assigned to each school site that is required to submit the School Facility Needs Assessment. The number will be generated by the OPSC at the time of the Needs Assessment Grant Apportionment and is provided by the on-line Form automatically.

Section A. Complete the school site address field.

Section B. Indicate the name and contact information for each person that participated in the completion of the assessment.

Section C. Complete this section as follows:

- a. No input required. Information in this field is automatically provided using the CDE database.
- b. Indicate the existing site size measured in Useable Acres as defined by School Facility Program Regulation Section 1859.2.
- c. No input required. Represents pupil density utilizing data from the fields above.
- d. Indicate if this site operates on a multitrack year-round calendar, and, if so, what type.
- e. Indicate what type of facility is used for pupil dining which is not designated for classroom instruction.

Part II. Facility Inventory

List each building separately. Use the "Add Building" button to enter the information for additional buildings on site.

- a. Enter the building identification number/letter as indicated on the site map to be submitted to the OPSC with the certification page of the Form. Identify all buildings on the site that house children and staff as part of the regular school curriculum.
- b. Indicate whether the building is of permanent or portable construction. For a definition of portable classroom please refer to Education Code Section 17070.15(j).
- c. Indicate the total enclosed exterior square footage of the building. For multilevel buildings, include the square footage at each level.
- d. Indicate the year of original construction as determined by adding 12 months to the Division of State Architect's approval of the building plans.
- e. Indicate the year of the last building modernization project regardless of the modernization project funding source.
- f. Select the type of facility from the drop-down menu provided. If there is more than one type of facility housed in the same building, click the "Add Facilities to Building" button and select from the new drop-down menu.
- g. When indicating "Classrooms" option in f, enter the number of classrooms by grade level.

The on-line system will provide a summary of the following elements:

- The age and number of portable classrooms at the school.
- The pupil capacity of the site measured by multiplying the number of classrooms by the appropriate State loading standard.

Part III. Useful Life of Major Building Systems

Use this section to identify useful life remaining of all major building systems for each building identified in Part II of the Form.

- a. Select from the drop-down box the building inspected. The "Multiple Buildings" and the "Campus-Wide" options in the drop down menu should only be utilized when a single building system is located in more than one building or throughout the entire campus.
- b. Select from the drop-down box a type of building system inspected.
- c. Select from the drop-down box a type of a sub-system inspected.
- d. Select from the drop-down box the appropriate element or material inspected. If there is no applicable selection listed in the drop-down box, use the option "other."
- e. Enter the number of years representing the useful life remaining of each component. Negative number of years indicates that the component has exceeded its useful life.

Part IV. Five-Year Costs to Maintain Functionality

Part A. Complete this section by estimating costs for each of the five years to maintain functionality of each building to provide healthy, safe, and suitable learning environment. When choosing the building from the Cost Estimate For Building drop down menu, the "Multiple Buildings" and the "Campus-Wide" options should only be utilized when a single building component is located in more than one building or throughout the entire campus. Once all worksheets are completed with detailed costs, the "summary" function may be used to generate a summary of costs by building and year, which will constitute Part B of this section.

Part B. This is a summary page generated from the detailed listing of five-year maintenance costs identified in Part A. No manual input is necessary.

Part V. Necessary Repairs

Use this form to identify the necessary repairs at the school site including any health and safety items. Use the "Add New Item" button to add as many repair items as necessary. Use the drop down box to select from the type of building components (same list of items as identified in Part IV) or use the option "other" to identify the repair. Repair cost estimates should include all related project costs. The dollar values assigned to the costs of the repairs are to be included in the district's first year cost estimate to maintain functionality of the facilities in Part IV of the Form.

Part VI. Certification

Complete, print, and sign the certification portion of the Form. Mail the completed certification and a site diagram of the school identifying all buildings on the site to the OPSC at the following address:

Office of Public School Construction
1130 K Street, Suite 400
Sacramento, CA 95814

*Refer to
EXCEL
VERSION
OF
NEEDS
ASSESSMENT*

DRAFT

STATE OF CALIFORNIA

**SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM
DISTRICT EXPENDITURE REPORT**

SAB 61-02 (NEW 01/05)

STATE ALLOCATION BOARD

OFFICE OF PUBLIC SCHOOL CONSTRUCTION

PAGE 1 OF 1

SCHOOL DISTRICT

FIVE-DIGIT DISTRICT CODE NUMBER

BUSINESS ADDRESS

COUNTY

PREPARER'S NAME (TYPED)

PREPARER'S TITLE (TYPED)

TELEPHONE NUMBER/E-MAIL ADDRESS

DISTRICT REPRESENTATIVE NAME (TYPED)

DISTRICT REPRESENTATIVE TITLE (TYPED)

TELEPHONE NUMBER/E-MAIL ADDRESS

INSTRUCTIONS – (refer to Title 2, California Code of Regulation Sections 1859.300 through 1859.318)

1. Enter the amount of State apportionment received pursuant to Section 1859.312.
2. Enter the amount of interest earned on State funds.
3. Enter the total amount of State funds spent to complete the Form SAB 61-01. Provide a listing of expenditures on the Form SAB 61-02A to be completed by the district and attach.
4. Enter the total amount of State funds spent for repairs identified in Part V of the Form SAB 61-01. Provide a listing by district of each expenditure on the SAB 61-02A and attach.

Contact the Office of Public School Construction for the Form SAB 61-02A to assist the district in reporting the district expenditures or download the form at the OPSC Web site at www.opsc.dgs.ca.gov. Additional information may be requested to complete the audit.

This form is due by September 1, 2006.

<i>Submit to:</i> <i>Department of General Services Office of Public School Construction Attn: Needs Assessment Audits 1130 K Street, Suite 400 Sacramento, CA 95814</i>	DESCRIPTION	AMOUNT
	1. STATE FUNDS	
	2. INTEREST EARNED	
	3. EXPENDITURES FOR PERFORMING NEEDS ASSESSMENT	
	4. EXPENDITURES FOR REPAIRS IDENTIFIED ON NEEDS ASSESSMENT	
	5. REMAINING FUNDS	

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- *I am designated as an authorized district representative by the governing board of the district; and,*
- *Under penalty of perjury, under the laws of the State of California, the foregoing statements are true and correct, and that the Public Contract Code was adhered to in the use of these grant funds; and,*
- *This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail.*

SIGNATURE OF DISTRICT REPRESENTATIVE

DATE

*Refer to
EXCEL
VERSION
OF
Detailed Listing
of District
Expenditures*

DRAFT

GENERAL INFORMATION

A district may use this form to apply for reimbursement of Emergency Facilities Needs repairs at eligible school sites as defined by Section 1859.311. For purposes of this Apportionment the following documentation must be submitted with this Form:

PART A

- Documentation substantiating the health and/or safety threat which may include but not limited to the following:
 - Photos showing the condition of the project prior to the repair work being performed
 - Items identified on the Interim Evaluation Instrument as a health and safety hazard
 - Copies of complaints made by parents, students, or staff referencing the problem
- A cost comparison prepared pursuant to Section 1859.323 (if applicable)
- Division of the State Architect (DSA) approved specifications and plans (if applicable)

PART B

- Copy of all construction contracts and schedule of values
- Copy of all change orders (if applicable)
- Copy of all purchase orders or purchase agreements (if applicable)
- Copy of architect agreement and schedule of fees

The closeout audit will be performed after the final Apportionment is made by the Board in accordance with Regulation Section 1859.326. For audit purposes, additional documentation may be requested at a later date.

SPECIFIC INSTRUCTIONS

PART A. PROJECT INFORMATION

1. Type of Health and Safety Project

Check the appropriate box to indicate if the district had to repair or replace the building system or component to mitigate the health and/or safety threat.

2. Type of Project

Check the box indicating the type of building system or structural component the application is addressing. The district may check only one building system or structural component project per application. Multiple applications may be submitted per school site.

3. Type of Facility

Check the box(es) that identify the location(s) where the repair work was performed.

4. Statement of Condition

Provide a concise statement of the conditions which posed a threat to the health and/or safety of the students and staff at the school site.

5. Description of Work/Scope of Project

Provide a detailed narrative of the repairs that were required to mitigate the threat to the health and/or safety of students and staff.

6. Project Costs

Provide a breakdown of eligible project cost information based on the district's actual expenditures. The total should match the total amount of expenditures listed in Part B of the Form. This must include only costs directly related to and necessary for the eligible project as defined by Sections 1859.323 and 1859.323.1. Indicate the district maintenance funds available for the project in accordance with Section 1859.328.

SPECIFIC INSTRUCTIONS (cont.)

PART B EXPENDITURE REPORT

List the total expenditures for the project.

1. Planning

ARCHITECT/ENGINEERING FEES: Enter the fees as negotiated in the Architect's agreement to design and engineer the construction project.

DSA FEES: Enter the fees as determined by the DSA as required by law.

INSPECTIONS: Enter the amount paid for inspection services provided.

OTHER COSTS: Enter any other planning costs.

2. Construction

MAIN CONSTRUCTION: Enter the amount paid to the main building contractor.

CONSTRUCTION MANAGEMENT: Enter the amount paid to the construction manager of the project to supervise the building construction.

DEMOLITION: Enter any costs associated with the demolition of existing buildings in preparation for construction.

OTHER CONSTRUCTION: Enter any construction costs not included in the main construction contract.

INTERIM HOUSING: Enter the amount paid for interim housing units to house students during building modernization.

HAZARDOUS WASTE REMOVAL: Enter the costs to remove hazardous material from the school site including Department of Toxic Substances Control (DTSC) fees, CDE fees, Preliminary Endangerment Assessment costs, Phase One Environmental Site Assessment costs, and the Response/Removal Action Plan costs as required by DTSC.

APPLICATION FOR REIMBURSEMENT AND EXPENDITURE REPORT
EMERGENCY REPAIR PROGRAM
FORM SAB 61-03 (NEW 01/05)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 3 OF 6

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	SEVEN-DIGIT SITE CODE (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)

Part A. Project Information

- | | | | | | | | | | | | |
|--|--|---|------------------------------------|--|---------------------------------------|---|--|---------------------------------------|------------------------------------|----------------------------------|--|
| <p>1. TYPE OF HEALTH AND SAFETY PROJECT (check one):</p> <p><input type="checkbox"/> Repair <input type="checkbox"/> Replacement</p> <p>2. TYPE OF PROJECT (check one):</p> <p><input type="checkbox"/> Sewer <input type="checkbox"/> HVAC
<input type="checkbox"/> Water <input type="checkbox"/> Fire/Life Safety
<input type="checkbox"/> Gas <input type="checkbox"/> Other
<input type="checkbox"/> Electrical</p> | <p>3. TYPE OF FACILITY (check all that apply):</p> <table border="0"><tr><td><input type="checkbox"/> Classrooms/Instructional</td><td><input type="checkbox"/> Gymnasium</td></tr><tr><td><input type="checkbox"/> Counseling Area</td><td><input type="checkbox"/> Multipurpose</td></tr><tr><td><input type="checkbox"/> Administrative Space</td><td><input type="checkbox"/> Accessibility</td></tr><tr><td><input type="checkbox"/> Dining Space</td><td><input type="checkbox"/> Restrooms</td></tr><tr><td><input type="checkbox"/> Library</td><td><input type="checkbox"/> Subsidiary Facilities</td></tr></table> | <input type="checkbox"/> Classrooms/Instructional | <input type="checkbox"/> Gymnasium | <input type="checkbox"/> Counseling Area | <input type="checkbox"/> Multipurpose | <input type="checkbox"/> Administrative Space | <input type="checkbox"/> Accessibility | <input type="checkbox"/> Dining Space | <input type="checkbox"/> Restrooms | <input type="checkbox"/> Library | <input type="checkbox"/> Subsidiary Facilities |
| <input type="checkbox"/> Classrooms/Instructional | <input type="checkbox"/> Gymnasium | | | | | | | | | | |
| <input type="checkbox"/> Counseling Area | <input type="checkbox"/> Multipurpose | | | | | | | | | | |
| <input type="checkbox"/> Administrative Space | <input type="checkbox"/> Accessibility | | | | | | | | | | |
| <input type="checkbox"/> Dining Space | <input type="checkbox"/> Restrooms | | | | | | | | | | |
| <input type="checkbox"/> Library | <input type="checkbox"/> Subsidiary Facilities | | | | | | | | | | |

4. STATEMENT OF CONDITION:

5. DESCRIPTION OF WORK/SCOPE OF PROJECT:

6. PROJECT COSTS:	\$
I. Planning Cost	\$
II. Repair/Replacement Cost	\$
III. Testing	\$
IV. Inspection	\$
V. SUBTOTAL	\$
VI. Available Maintenance Funds	\$
VII. TOTAL Project Reimbursement (V minus VI)	\$

APPLICATION FOR REIMBURSEMENT/EXPENDITURE REPORT
EMERGENCY REPAIR PROGRAM
 FORM SAB 61-03 (NEW 01/05)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 4 OF 6

PART B. Expenditure Report

TOTAL EXPENDITURES FOR THE PROJECT:	\$
-------------------------------------	----

1. Planning

School Site:		School District:			County:			Application Number:	
DATE	PAYEE	WARRANT NUMBER	ARCHITECT/ ENGINEERING/ CONSULTING FEES	DSA FEES	INSPECTIONS	OTHER COSTS	DESCRIPTION/PURPOSE		
			\$	\$	\$	\$			

APPLICATION FOR REIMBURSEMENT/EXPENDITURE REPORT
EMERGENCY REPAIR PROGRAM
 FORM SAB 61-03 (NEW 01/05)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PAGE 5 OF 6

2. Construction

School Site:			School District:			County:			Application Number:
DATE	PAYEE	WARRANT NUMBER	MAIN CONSTRUCTION	CONSTRUCTION MANAGEMENT	DEMOLITION	OTHER CONSTRUCTION	INTERIM HOUSING	HAZARDOUS WASTE REMOVAL	DESCRIPTION/PURPOSE
			\$	\$	\$	\$	\$	\$	

Certifications:

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized representative by the governing board of the school district;
- The repairs in this project were necessary to mitigate conditions that posed a threat to the health and safety of pupils or staff while at school;
- The district has complied with all laws pertaining to the repair of its school facilities;
- The district has complied with the Public Contract Code;
- The district has satisfied the supplement, not supplant requirement as defined in Section 1859.328.
- The contracts for services or work in this project were not entered into prior to September 29, 2004;
- The district understands that expenditures occurring after the submittal of this application are ineligible for reimbursement;
- The grant amount provided by the SAB shall be deemed full and final apportionment;
- The district understands that some or all of the ERP funding for the project may be returned to the SAB as a result of an Audit pursuant to Regulation Section 1859.326;
- The district has obtained the Division of State Architect's approval of the plans and specifications, if required;
- This Form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction. In the event a conflict should exist, then the language in the OPSC form will prevail; and,

I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents are true and correct.

PRINT NAME OF DISTRICT REPRESENTATIVE

TITLE

SIGNATURE

DATE

ATTACHMENT C1

MAJOR BUILDING SYSTEMS AVAILABLE IN A WEB-BASED NEEDS ASSESSMENT

Form SAB 61-01, School Facilities Needs Assessment Grant Program

Section III. Useful Life of Major Building Systems.

The following table summarizes the types of building systems, sub-systems and corresponding elements and materials that will be available to select in Part III of the web-based Form SAB 61-01. The inspector(s) will be required to estimate useful life remaining of all the components identified in the table below.

Building System	Sub-System	Elements/Materials
Structural	Roofing	Membrane Roofing (Built-Up)
		Membrane Roofing (Roll Roofing)
		Membrane Roofing (Single-Ply Roofing)
		Membrane Roofing (Elastomeric Roofing)
		Composition Shingles Roofing
		Sheet Metal Roofing
		Foam Roofing
		Other
	Siding	Plywood Siding
		Hardboard Siding
		Wood Board Siding
		Other
	Flooring	Carpet Flooring
		Resilient Flooring (VCT)
		Resilient Flooring (Sheet Vinyl)
		Wood Flooring
		Other
Plumbing	Potable / Drinking Water	Galvanized Steel Pipe
		Copper pipe
		Other
	Sewer	Cast Iron
		Other
	Water Heater	Gas Fired Water Heater
		Electric Water Heater
		Other

Building System	Sub-System	Elements/Materials
Mechanical	Heating Ventilation and Air Conditioning (HVAC)	Central Type (Central Boiler - Hydronic Heating / Cooling Tower)
		Central Type (Central Boiler - Hydronic Heating/ DX Cooling)
		Multi Zone package roof top unit (Gas Heat/ DX Cool)
		Multi Zone package roof top unit (Electric Heat/ DX Cool)Single Zone package roof top unit (Gas Heat/ DX Cool)
		Single Zone package roof top unit (Electric Heat/ DX Cool)
		Split system (Furnace heat/ Condensing unit cool)
		Other
	Heating and Ventilation (HV)	Central Boiler Hydronic Heating with unit heaters
		Central Boiler Hydronic Heating with radiant under floor piping
		Furnace (gas fired)
		Unit Heaters – Electrical
		Unit Heaters - Gas
		Other
	Ventilation	Exhaust fans
		Other
Electrical Equipment	Lighting	Conduit and Wire
		Fixtures
		Flood Lighting
		Other
	Power Feed Wiring	Bus Duct
		Capacitor
		Power Feed Wiring Mains
		Switchboards
		Switch Units
		Other
	Building Transformer	Dry Type
		Other
Fire & Life Safety	Automatic Fire Sprinkler Systems	Wet Type
		Dry Type
		Other
	Fire Pumps	Diesel Generator
		Other

STATE ALLOCATION BOARD
IMPLEMENTATION COMMITTEE
December 3, 2004

WILLIAMS SETTLEMENT – SENATE BILL 550

PURPOSE

To implement the provisions of Senate Bill (SB) 550, Chapter 900, Statutes of 2004 (Vasconcellos), impacting the Office of Public School Construction (OPSC).

BACKGROUND

SB 550 was created as a part of the settlement agreement in the case of *Williams v. the State of California*. There are two parts of SB 550 which impact the OPSC, the school facilities inspection system and the Interim Evaluation Instrument (IEI).

DISCUSSION

On November 5, 2004 an item was presented to the Implementation Committee regarding SB 550. The following is a summary of the concerns discussed at the meeting:

INTERIM EVALUATION INSTRUMENT

Audience members from various parties had differing opinions on the interpretation of EC Section 1240 (c)(2)(E) or who is to use the IEI and for what purpose. Since OPSC is not charged with determining who is to use the IEI, Staff has directly quoted the specific language from the EC in the General Information Section of the form in order to generalize the use of the tool.

In addition, there was discussion regarding the certification section of the IEI (Part M). Some audience members were concerned that the second certification placed additional responsibility on the individual who accompanied the evaluator. This certification has been deleted from the form and in its place; a line has been added to the heading section of the form to capture the individual's name. In addition, the first certification or the evaluator's certification, in Part M, has been simplified.

Finally there was discussion on the checklist items in the document (Parts A-L). OPSC has incorporated some of the suggestions, such as eliminating the word "toxic" in Part G.

DRAFT

INTERIM EVALUATION INSTRUMENT SCHOOL FACILITY CONDITIONS EVALUATION SENATE BILL 550

School Site Information		
School District/County Office of Education:		
County:		
School Site:		
Name of individual who accompanied the Evaluator (if applicable):		
Date and Time of Review:		
Evaluator(s) Information		
Name(s):	Title:	Represents:
1.		
2.		
3.		

GENERAL INFORMATION

Education Code (EC) Section 17002(d)(1) requires the Office of Public School Construction to develop an interim evaluation instrument to determine whether a facility is in "good repair", or maintained in a manner that assures that facilities are clean, safe and functional. This tool is intended to assist in that determination.

EC Section 1240(c) requires county superintendents to annually visit the schools in the county of his or her office that are ranked in deciles 1 to 3, inclusive, of the 2003 base Academic Performance Index (The California Department of Education published a list of these schools, pursuant to EC Section 17592.70(b) on the department's Web site at **www.cde.ca.gov**.) Further, EC Section 1240(c)(2)(E), states that "the priority objective of the visits made shall be to determine the status of the condition of a facility that poses an emergency or urgent threat to the health or safety of pupils or staff as defined in district policy, or as defined by EC Section 17592.72 (c) and the accuracy of data reported on the school accountability report card with the respect to the safety, cleanliness, and adequacy of school facilities, including good repair as required by EC Sections 17014, 17032.5, 17070.75, and 17089." This tool is also intended to assist county offices of education in performing these functions.

The following sections describe the different parts of the evaluation tool. When completing each part, include the building number and/or classroom number that was evaluated. This number should correspond to the school's current fire drill site map.

PARTS A-H. EC Section 17592.72(c) defines "emergency facilities needs"; Parts A-H (pages 3 and 4) of this evaluation form address those types of facility repairs. Check the appropriate box that indicates the "yes" or "no" answer to each question. Note that in Parts A-H, a "yes" response indicates a deficiency and page 5 of this form may be used to comment/elaborate on the deficiency. If a deficiency is identified in Parts A-H, the school district may be eligible for reimbursement for the cost of repairs (see *Emergency Repair Program* Regulation Section 1859.320, et. seq., for more details).

PARTS I-L. Other facility conditions have been identified that are indicative of a facility that is in "good repair" or maintained in a manner that assures that the facility is clean, safe, and functional, pursuant to EC Section 17002. These conditions are contained in Parts I-L (page 6) of this form. Check the appropriate box that indicates the "yes" or "no" answer to each question. Note that in Parts I-L, a "no" response indicates a deficiency and page 7 of this form may be used to comment/elaborate on the deficiency.

PART M. Complete and sign the certification (page 8).

*Refer to
EXCEL
VERSION
OF
Facility
Evaluation Form
(IEI)*

M. CERTIFICATION:

I, _____, am a representative of _____, and certify that the information contained herein is true and correct to the best of my knowledge and the above findings were made during my review of this school site on _____ at _____ a.m./p.m.	
PRINT NAME	TITLE
SIGNATURE	DATE
TELEPHONE NUMBER	EMAIL ADDRESS

School Address

Needs Assessment Identification Number

Section B. Inspector(s) Information:

E-mail Address

[illegible]

Section C. School Enrollment Information.

e. Lunch Facility:

other

Add Additional Participants

Add Additional Participants

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

SAB 61-01 (NEW 01/05)

Part II - Facility Inventory

a. Building ID	b. Construction Type*	c. Bldg Square Footage	d. Year of Construction	e. Year of Modernization	f. Facility Type**	g. Number of Classrooms				
						K-6	7-8	9-12	Non-Severe	Severe
A	Permanent	25,000	1956	1986	Classrooms		5	15		
					Library					
					Nurse's Office					
B	Permanent	40,000	1956	1986	Classrooms			10		
					Multi-purpose					
					Counselling					
C	Permanent	30,000	1956	n/a	Admin					
					Classrooms		7			
D	Portable	1,920	1989	1989	Classrooms				2	
E	Permanent	20,000	1980	n/a	Gym					

*a drop-down box will be provided for each building with 2 selections available

EXAMPLE

**A drop-down box will be provided for each building to include as many types of facilities as needed, i.e. it is possible to have a building that contains more than one type of facility (classrooms and a library in one building, for example)

Add Building

Add Facility to Building

Portable Classrooms Summary	
Age	Number
15	2
TOTAL	2

Pupil Capacity	K-6	7-8	9-12	Non-Severe	Severe
	0	324	675	26	0
TOTAL	1025				

Part III - Useful Life of Major Building Systems*(Refer to Attachment C1 for list of sub-systems to be evaluated)*

a. Building	b. Building System*	c. Sub-System*	d. Elements/ Materials**	e. Useful Life Remaining (years)
A	Structural	Roofing	Composition Shingles	-5
A	Structural	Siding	Plywood	-10
A	Structural	Flooring	Sheet Vinyl	-12
A	Mechanical	HVAC	Central Type (Central Boiler - Hydronic Heating/Cooling Tower)	2
A	Plumbing	Sewer	Cast Iron	1
A	Electrical	Building Transformer	Dry Type	2
A	Fire & Life Safety	Auto. Sprinkler System	Other	3
Campus-Wide	Structural	Roofing	Membrane Roofing - Single-ply	12
B	Mechanical	HVAC	Split System	8

**The inspector will be able to select from the list of appropriate systems .*

**The inspector will be able to select from the list of appropriate sub-systems.*

***The inspector will be able to select from the list of appropriate elements or materials and/or use the option "other" if a specific element or material is not available in the drop-down box.*

Add an Item

EXAMPLE

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

SAB 61-01 (NEW 01/05)

Part IV - Five-Year Costs to Maintain Functionality**A. Cost Detail****COST ESTIMATE FOR BUILDING***(A drop down box will be provided with the selection of buildings identified in Part II.)*

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	Total Estimate
Roofing						\$ -
Siding						\$ -
Flooring						\$ -
Painting						\$ -
Potable/Drinking Water						\$ -
Sewer						\$ -
Water Heater						\$ -
HVAC/HV						\$ -
Electrical						\$ -
Lighting						\$ -
Gas						\$ -
Fire & Life Safety						\$ -
Security						\$ -
Accessibility						\$ -
Other						\$ -
Total Cost Estimate	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Summary*The cost estimate information would be automatically compiled and summarized in Part IV -B.***B. Cost Summary**

BUILDING	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$	\$
TOTAL	\$	\$	\$	\$	\$	\$

The building description in Part II, Facility Inventory, provides the detail on facilities housed in each building, such as classrooms, admin. space, etc. The data assembled in the OPSC internal database may be queried to generate cost information for certain facility type, such as classrooms (cumulative of all buildings on site.)

Part V - Necessary Repairs

Repair Item Number	Building Components	Location*	Description of the Deficiency	Description of the Repair	Estimate of the Repair
1	Interior Construction	Building A	Broken glass windows	Install new window	\$ 1,480.00
2	Roofing	Campus-wide	Extensive areas of missing tiles	Install missing tiles where needed	\$ 5,800.00
3	Plumbing system	Bulding G	Cracked and leaky toilet	Replace existing toilet	\$ 450.00
TOTAL					\$ 7,730.00

**A drop-down box will be provided to select from the list of buildings identified in Part II.*

Add New Item

EXAMPLE

SCHOOL FACILITIES NEEDS ASSESSMENT GRANT PROGRAM

SAB 61-01 (NEW 01/05)

Part VI - Certification

Needs Assessment Identification Number

SCHOOL DISTRICT:	COUNTY:
SCHOOL NAME:	CDS CODE:
SCHOOL ADDRESS:	

Information on the individual submitting the Needs Assessment:

NAME:	TITLE:		
REPRESENTATIVE OF:			
PHONE NUMBER:	E-MAIL ADDRESS:		

PLEASE SUBMIT A SITE DIAGRAM IDENTIFYING ALL BUILDINGS ON THE SITE.

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am designated as an authorized District Representative by the governing board of the district or the designee of the Superintendent of Public Instruction;
- The information reported in Part III, IV, V was provided by individual(s) and/or entities which have demonstrated to me that he/she/they/its employees possess(es) the necessary qualifications as specified in the Regulation Section 1859.314.

SIGNATURE

DATE

SAVE

EDIT

PRINT REPORT

SUBMIT

PRINT CERTIFICATION

Printed on _____

Submitted on _____

DATE	NEEDS ASSESSMENT ID NUMBER	REPAIR NUMBER	AMOUNT PAID	DESCRIPTION/PURPOSE
TOTAL			0.00	

Senate Bill 550 School Facility Conditions Evaluation Form

Part	Building/Classroom Number								
-------------	----------------------------------	--	--	--	--	--	--	--	--

A.	GAS LEAKS								
	There is evidence of gas leaks (e.g., odor, broken pipes).	Yes							
		No							

B.	MECHANICAL AND EMERGENCY SYSTEMS								
	There is evidence of problems with the heating, ventilation, or air conditioning systems as applicable (e.g., heating or A/C not working, poor ventilation).	Yes							
		No							
	There is evidence that fire sprinklers are not in working order (e.g., missing or damaged sprinkler heads).	Yes							
		No							
	There is evidence that emergency systems are not functioning properly (e.g., emergency alarms not functional, fire extinguishers missing or out-of-date).	Yes							
		No							

C.	POWER FAILURE								
	There is evidence that a portion of the school has a power failure.	Yes							
		No							

D.	SEWER								
	There is evidence of a major sewer line stoppage (e.g., flooding, odor, or obvious signs on school grounds).	Yes							
		No							

NOTE: To make comments about a building/room, place an asterisk at the end of the room/building number and write comments at end of form.

Senate Bill 550 School Facility Conditions Evaluation Form

Part	Building/Classroom Number								
-------------	----------------------------------	--	--	--	--	--	--	--	--

E.	PEST/VERMIN INFESTATION								
<div style="border: 1px solid black; padding: 5px;"> There is evidence of major pest or vermin infestation (e.g., holes in the walls, floors, or ceilings, rodent droppings, odor). </div>		Yes							
		No							

F.	WINDOWS/DOORS/GATES (Interior and Exterior)								
<div style="border: 1px solid black; padding: 5px;"> There is evidence of conditions that pose a security risk (e.g., broken or missing exterior doors, windows, or gates, holes in perimeter fencing, locks and other security hardware missing or not functioning properly). </div>		Yes							
		No							

G.	HAZARDOUS MATERIALS (Interior and Exterior)								
<div style="border: 1px solid black; padding: 5px;"> There appears to be evidence of hazardous materials <u>previously undiscovered</u> by school personnel that may pose an immediate threat to pupils or staff (e.g., peeling, chipping, or cracking paint, damaged tiles or other circumstances that may indicate asbestos exposure, indication of mold, inadequate storage of hazardous chemicals or flammable materials.) </div>		Yes							
		No							

H.	STRUCTURAL DAMAGE (Interior and Exterior)								
<div style="border: 1px solid black; padding: 5px;"> There appears to be evidence of structural damage that has created or has a potential to create hazardous or uninhabitable conditions (e.g., severe cracks, sagging or sloping ceilings or floors, missing posts or beams, dry rot/mold in structural components). </div>		Yes							
		No							

NOTE: To make comments about a building/room, place an asterisk at the end of the room/building number and write comments at end of form.

Senate Bill 550 School Facility Conditions Evaluation Form

DESCRIBE ANY PROBLEMS OR DEFICIENCIES IDENTIFIED DURING THE SITE INSPECTION

Parts A-H

[illegible]

Senate Bill 550 School Facility Conditions Evaluation Form

Part	Building/Classroom Number							
-------------	----------------------------------	--	--	--	--	--	--	--

I.	INTERIOR SURFACES (Walls, Floors, and Ceilings)							
Interior surfaces appear to be safe, functional, and clean (e.g., no hazards from torn carpet, missing floor or ceiling tiles, tears or holes in walls or floors, water damage, or accumulated refuse).		Yes						
		No						

J.	DRINKING FOUNTAINS (Inside and Outside)							
Drinking fountains appear to be accessible and functioning as intended (e.g., adequate water pressure, no leaks or evidence of moss or mold, clear and tasteless).		Yes						
		No						

K.	ELECTRICAL (Interior and Exterior)							
There are no apparent electrical hazards (e.g., no exposed electrical wiring, outlets, switch plates, junction boxes, and fixtures are covered and working properly, electrical equipment is properly covered or guarded).		Yes						
		No						
Lighting appears to be adequate and working properly (e.g., not flickering).		Yes						
		No						

L.	RESTROOMS							
Restrooms appear to be accessible during school hours, clean, functional and in compliance with SB 892 (ECS 35292.5)		Yes						
		No						

Senate Bill 550 School Facility Conditions Evaluation Form

DESCRIBE ANY PROBLEMS OR DEFICIENCIES IDENTIFIED DURING THE SITE INSPECTION

Parts I-L

Building or Classroom Number	Part	Comments